

8[B].



9. Plaintiff has also inappropriately posted on social media a photograph of a note from the Child across which Plaintiff has scrawled "F... you Asensio" to demonstrate in as filthy a manner as possible how she views the Child's affection as nothing more than a means to spite the Defendant.

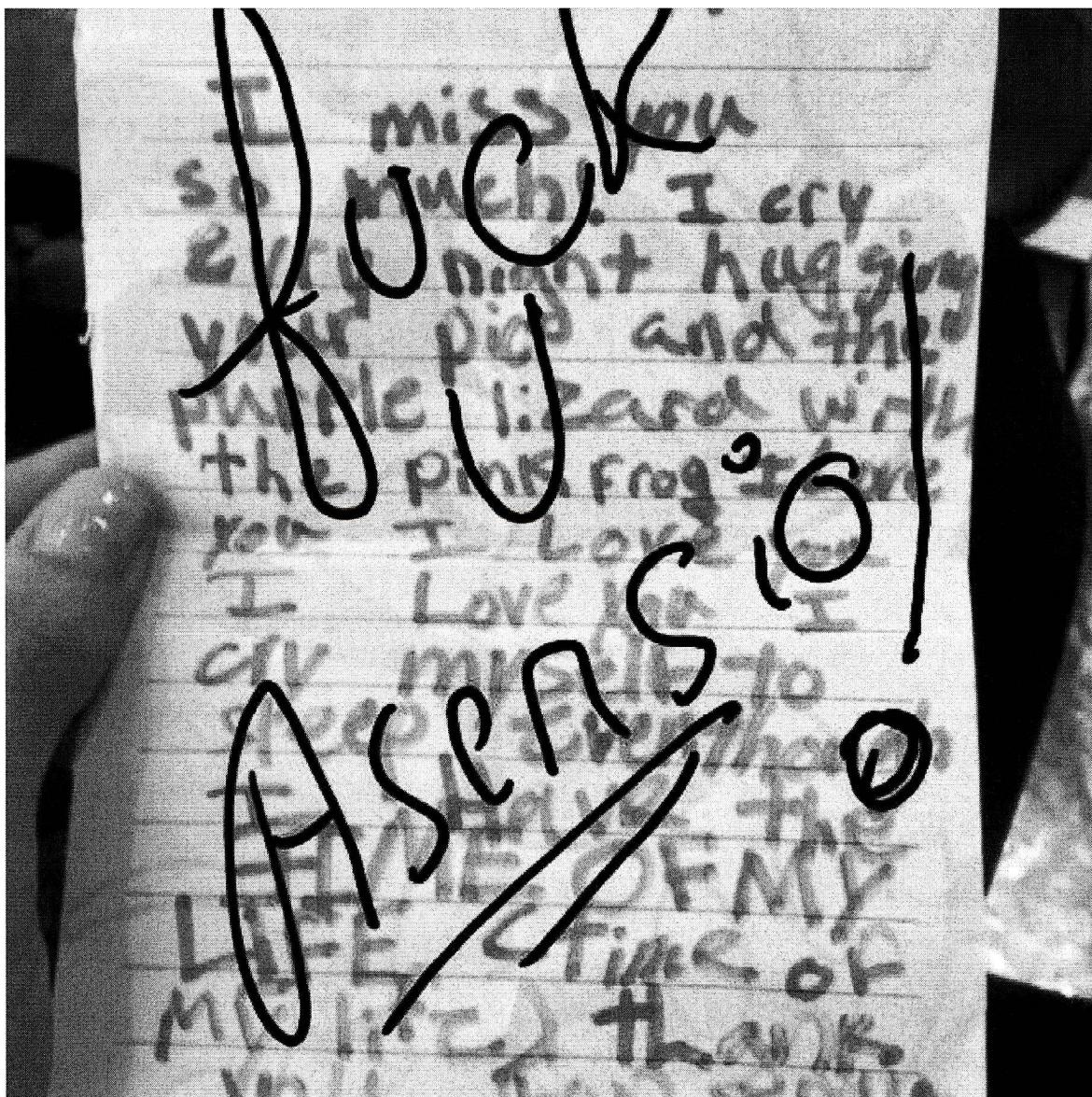


EXHIBIT 5

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

MANUEL P. ASENSIO,

Plaintiff/Petitioner,

- against -

Index No. 159812/2016

RICHARD SPITZER,

Defendant/Respondent

**NOTICE OF COMMENCEMENT OF ACTION
SUBJECT TO MANDATORY ELECTRONIC FILING**

PLEASE TAKE NOTICE that the matter captioned above has been commenced as an electronically filed case in the New York State Courts Electronic Filing System ("NYSCEF") as required by CPLR § 2111 and Uniform Rule § 202.5-bb (mandatory electronic filing). This notice is being served as required by that rule.

NYSCEF is designed for the electronic filing of documents with the County Clerk and the court and for the electronic service of those documents, court documents, and court notices upon counsel and unrepresented litigants who have consented to electronic filing.

Electronic filing offers significant benefits for attorneys and litigants, permitting papers to be filed with the County Clerk and the court and served on other parties simply, conveniently, and quickly. NYSCEF case documents are filed with the County Clerk and the court by filing on the NYSCEF Website, which can be done at any time of the day or night on any day of the week. The documents are served automatically on all consenting e-filers as soon as the document is uploaded to the website, which sends out an immediate email notification of the filing.

The NYSCEF System charges no fees for filing, serving, or viewing the electronic case record, nor does it charge any fees to print any filed documents. Normal filing fees must be paid, but this can be done on-line.

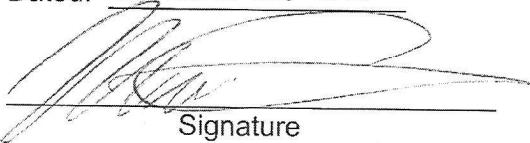
Parties represented by an attorney: An attorney representing a party who is served with this notice must either: 1) immediately record his or her representation within the e-filed matter on the NYSCEF site; or 2) file the Notice of Opt-Out form with the clerk of the court where this action is pending. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the operational knowledge to comply with e-filing requirements. [Section 202.5-bb(e)]

Parties not represented by an attorney: Unrepresented litigants are exempt from e-filing. They can serve and file documents in paper form and must be served with documents in paper form. However, an unrepresented litigant may participate in e-filing.

For information on how to participate in e-filing, unrepresented litigants should contact the appropriate clerk in the court where the action was filed or visit www.nycourts.gov/efile-unrepresented. Unrepresented litigants also are encouraged to visit www.nycourthelp.gov or contact the Help Center in the court where the action was filed. An unrepresented litigant who consents to e-filing may cease participation at any time. However, the other parties may continue to e-file their court documents in the case.

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: efile@nycourts.gov).

Dated: November 22, 2016



Signature

MITCHELL CANTOR
Name

LAW OFFICES OF MITCHELL CANTOR
Firm Name

355 LEXINGTON AVENUE, SUITE 401

Address

NEW YORK, NEW YORK 10017

212-679-7820

Phone

Cantor.law@verizon.net

E-Mail

To: RICHARD SPITZER

291 BROADWAY, SUITE 808

NEW YORK, NEW YORK 10007

9/3/15

EXHIBIT 2

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

HARIE ETHELE BOSSAK

24

INDIVIDUAL ASSIGNMENT PART

STIPULATION

INDEX NO 30047/1

MOTION CALENDAR NO.

DATE 3/28/11

Manuel P. ASENCO-Garcia

IT IS HEREBY STIPULATED AND AGREED by and between the below-named attorney(s) as follows:

1. Plaintiff waives temporary maintenance.
 2. Defendant agrees to pay Plaintiff child support of \$81200 Plaintiff on the 1st day of every month until the court decides the matter about refers to child support;
 3. Defendant agrees to pay said temporary child support of \$81200 retroactive to January of 2011 and will receive credit for all payments upon the Court's decision as to child support.
 4. Father, self & mother / M.F. will share temporary custody on the following schedule. Father shall be the child every 17+ Friday evenings from 6:00 p.m. until a minor program a Father's residence on Wednesday evenings at 6:00 p.m.

Attorney for Plaintiff

Date: _____

3/28/11

So Ordered.

Attorneys for Defendant

Attorney for Defendant

ENTER

J.S.C.
HON. LAURA DRAGER

150

SC-8G (rev 2/86)

1975
J. G. M.

PRELIMINARY CONFERENCE ORDER

- X. ADDITIONAL DIRECTIVES: Father shall have the child from Wednesday after school through Friday when he attends the Child at school. Summer vacation Father is responsible. The parties shall attend day school from Tuesday after school. It Monday 8:00 AM or later the parent shall deliver the child to school. Tuesday through Saturday the other parent's home.

 5. The parties will share equally the ~~Munro~~ school years with the mother having the first half ~~through~~ ^{8/30} Father the second ~~left~~ ^{8/30} returning ^{8/14/87} to child to school on Monday 4-17-2017
 6. The parties shall share equally the summer and all other future holidays, & school vacation. The parties will mutually agree as to whether the future school vacations shall be attended ^{supper} ~~in~~ equally.
 7. Neither parent will discourage the other parent to the child.
 8. No apology between the parties except as it relates to their health & welfare and the parties agree to respond.
 9. The parties will limit visitation to 1 per day unless there is an emergency involving the child.
 10. The parties agree that when the children go with the other parent the last she may take home the child 24 per day for it ^{it} ~~not~~ day. Neither party will remain with the child when she is speaking her.

X. ADDITIONAL DIRECTIVES

PRELIMINARY CONFERENCE ORDER

- X. ADDITIONAL DIRECTIVES: ~~will return before next to the child
who she is speaking to the other parent. The child
shall be permitted to contact the other parent when
also with a parent at will.~~
11. Defendant shall pay the child's school tuition
before January 2015. However he will not agree
to repay all. The child is ~~supposed to fly~~
for next year unless they mutually agree or he is ordered
by a court or the father is a mother of whom agrees
I cannot stand the child in school with my wife.
12. The defendant of the Plaintiff with Plaintiff is
without prejudice to our class. The parties wish
to make in the ~~Agreement~~, including who owns Plaintiff and
13. Parties agreed to the court adding a ~~percentage~~
~~agreement~~, they will have 5 days to submit a ^{percentage}
mutually agree all come to the court. If they ^{fail to do so}
cannot agree, the court will, in effect, the ^{father}
determine. The court will determine the percentage
entirety of Plaintiff.
14. The parties found to be mother for the child
to be appointed by the court. The ~~percentage~~
The court will determine the percentage each party to
share going.
15. Plaintiff with his or her consent written to Plaintiff fees
without prejudice to filing a subsequent motion.

X. ADDITIONAL DIRECTIVES

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PRELIMINARY CONFERENCE ORDER

X. ADDITIONAL DIRECTIVES:

D. Personal Property: Both parties will exchange a list of personal property after each has had an opportunity to have access. Within one week of this Order to Proceed signed by both parties, such access shall require a third party to be present and shall not violate the Order of Protection ~~dated~~ in effect. Thereafter the parties will exchange lists of property each party is claiming.

Any controversy regarding the ownership of the property
shall be decided by joint resolution until a majority
agrees upon resolution.

All of the property, however must be enclosed within
3 days after the Building permit is issued \$100.00.

Will the Court not make the party agree to exchange record property without reference to either party applying to the Court for other property?

18. Parties agree to participate by having Coordinator act as therapist to be independently engaged by each party.

Each party will see who they feel should be the other party's first pick. The court will select the PC.

~~Neither party will demand any additional directives~~

SC.NO. 8F Rev. 2/86

443

PRELIMINARY CONFERENCE ORDER

X. ADDITIONAL DIRECTIVES:

The Court Clerk will see the parties
separately unless the PC wants to see them together.
The PC will assist the parties with anything else
during the hearing in a timely manner and assist the
parties to resolve the underlying issues in this case
as well as any issues regarding enrollment if the Plaintiff
cannot accommodate the Plaintiff's request and date
for the school year 9/1/18 they offer with assistance
of the Plaintiff's Coordinator shown in their own

X. ADDITIONAL DIRECTIVES

5/5

EXHIBIT 3

REQUEST FOR JUDICIAL INTERVENTION

UCS-840 (REV 1/2000)

Supreme New York 300417/2011 1/13/11

COURT COUNTY INDEX NO. DATE PURCHASED

PLAINTIFF(S):

MARIE EMILIE BOSAK

DEFENDANT(S):

MANUEL P. ASENSIO-GARCIA

For Clerk Only

IAS entry date

Judge Assigned

RJI Date

Date issue joined: N/A Bill of particulars served (Y/N): Yes No

NATURE OF JUDICIAL INTERVENTION (check ONE box only AND enter information)

- | | |
|---|--|
| <input type="checkbox"/> Request for preliminary conference | <input type="checkbox"/> Notice of petition (return date: _____)
Relief sought _____ |
| <input type="checkbox"/> Note of issue and/or certificate of readiness | <input type="checkbox"/> Notice of medical or dental malpractice action (specify: _____) |
| <input type="checkbox"/> Notice of motion (return date: _____)
Relief sought _____ | <input type="checkbox"/> Statement of net worth |
| <input checked="" type="checkbox"/> Order to show cause
(clerk enter return date: _____)
Relief sought <u>aintenance, attorney fees, custody,</u> | <input type="checkbox"/> Writ of habeas corpus |
| <input type="checkbox"/> Other ex parte application (specify: <u>expedited discovery, appointment of psychologist</u>) | <input type="checkbox"/> Other (specify: _____) |

NATURE OF ACTION OR PROCEEDING (Check ONE box only)

MATRIMONIAL

- | | |
|---|-----|
| <input checked="" type="checkbox"/> Contested | -CM |
| <input type="checkbox"/> Uncontested | -UM |

COMMERCIAL

- | | |
|---|-------|
| <input type="checkbox"/> Contract | -CONT |
| <input type="checkbox"/> Corporate | -CORP |
| <input type="checkbox"/> Insurance (where insurer is a party, except arbitration) | -INS |
| <input type="checkbox"/> UCC (including sales, negotiable instruments) | -UCC |
| <input type="checkbox"/> *Other Commercial | -OC |

REAL PROPERTY

- | | |
|---|-------|
| <input type="checkbox"/> Tax Certiorari | -TAX |
| <input type="checkbox"/> Foreclosure | -FOR |
| <input type="checkbox"/> Condemnation | -COND |
| <input type="checkbox"/> Landlord/Tenant | -LT |
| <input type="checkbox"/> *Other Real Property | -ORP |

OTHER MATTERS

- | | |
|----------------------------|------|
| <input type="checkbox"/> * | -OTE |
|----------------------------|------|

Malpractice

- | | |
|--|------|
| <input type="checkbox"/> Medical/Pediatric | -MM |
| <input type="checkbox"/> Dental | -DM |
| <input type="checkbox"/> *Other Professional | -OPM |

Motor Vehicle

- | | |
|--|-----|
| <input type="checkbox"/> *Products Liability | -MV |
|--|-----|

Environmental

- | | |
|--|------|
| <input type="checkbox"/> Asbestos | -EN |
| <input type="checkbox"/> Breast Implant | -ASB |
| <input type="checkbox"/> *Other Negligence | -BI |

*Other Tort (including intentional)

- | | |
|--------------------------|-----|
| <input type="checkbox"/> | -OT |
|--------------------------|-----|

SPECIAL PROCEEDINGS

- | | |
|---|----------|
| <input type="checkbox"/> Art. 75 (Arbitration) | -ART75 |
| <input type="checkbox"/> Art. 77 (Trusts) | -ART77 |
| <input type="checkbox"/> Art. 78 | -ART78 |
| <input type="checkbox"/> Election Law | -ELEC |
| <input type="checkbox"/> Guardianship (MHL Art. 81) | -GUARD81 |
| <input type="checkbox"/> *Other Mental Hygiene | -MHYG |
| <input type="checkbox"/> *Other Special Proceeding | -OSP |

TORTS

Check "YES" or "NO" for each of the following questions:

Is this action/proceeding against a

YES NO
 Municipality:
 (Specify _____)

YES NO
 Public Authority:
 (Specify _____)

- YES NO
 Does this action/proceeding seek equitable relief?
 Does this action/proceeding seek recovery for personal injury?
 Does this action/proceeding seek recovery for property damage?

Pre-Note Time Frames:

(This applies to all cases except contested matrimonials and tax certiorari cases)

Estimated time period for case to be ready for trial (from filing of RJI to filing of Note of Issue):

Expedited: 0-8 months Standard: 9-12 months Complex: 13-15 months

Contested Matrimonial Cases Only: (Check and give date)

Has summons been served?

No

Yes, Date 1/13/11

Was a Notice of No Necessity filed?

No

Yes, Date _____

ATTORNEY(S) FOR PLAINTIFF(S):

<u>Self Rep.*</u>	<u>Name</u>	<u>Address</u>	<u>Phone #</u>
<input type="checkbox"/>	Judd Burstein, P.C.	1790 Broadway, New York, NY 10019	212-974-2400
<input type="checkbox"/>			

ATTORNEY(S) FOR DEFENDANT(S):

<u>Self Rep.*</u>	<u>Name</u>	<u>Address</u>	<u>Phone #</u>
<input type="checkbox"/>			
<input type="checkbox"/>			

*Self Represented: parties representing themselves, without an attorney, should check the "Self Rep." box and enter their name, address, and phone # in the space provided above for attorneys.

INSURANCE CARRIERS:

RELATED CASES: (IF NONE, write "NONE" below)

Title Index # Court
 Bosak v. Asenyo Docket # V-43873-10 Family Court

Nature of Relationship

Family Court case wherein the parties to this action and custody/visitation of the parties claimed

I AFFIRM UNDER PENALTY OF PERJURY THAT, TO MY KNOWLEDGE, OTHER THAN AS NOTED ABOVE, THERE ARE AND HAVE BEEN NO RELATED ACTIONS OR PROCEEDINGS, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION PREVIOUSLY BEEN FILED IN THIS ACTION OR PROCEEDING.

Dated: 2/10/11

(SIGNATURE)

Judd Burstein

(PRINT OR TYPE NAME)

Marie Emilie Bosak
 ATTORNEY FOR

ATTACH RIDER SHEET IF NECESSARY TO PROVIDE REQUIRED INFORMATION

EXHIBIT 4